

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RAYMOND A. FERKI,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	NO. 10-2756
	:	
WELLS FARGO BANK, NATIONAL	:	
ASSOCIATION, as successor in interest to	:	
Wachovia Bank, N.A.; WELLS FARGO	:	
& COMPANY, INC., as successor in	:	
interest to Wachovia Corporation, and	:	
THE BANK OF NEW YORK MELLON	:	
CORPORATION and MELLON	:	
INVESTOR SERVICES, LLC d/b/a	:	
BNY Mellon Shareholder Services,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 20th day of *December*, 2010, upon consideration of the Motion of Defendants Wells Fargo Bank, NA; Wells Fargo & Company, Inc.; The Bank of New York Mellon Corporation; and Mellon Investor Services, LLC to Dismiss Plaintiff's Amended Complaint (Docket No. 10), Response of Plaintiff Raymond A. Ferki. (Docket No. 11), and Defendants' Reply (Docket No. 12), it is hereby **ORDERED** that Defendants' Motion to Dismiss (Docket No. 10) is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Defendants' Motion to Dismiss Plaintiff's tortious interference with prospective economic relationship claim (Count VI) is **DENIED**;

2. Defendants' Motion to Dismiss Plaintiff's conspiracy claim (Count III) is **GRANTED**;
3. Defendants' Motion to Dismiss Plaintiff's state law unfair trade practices claim (Count V) is **GRANTED**;
4. Plaintiff's Request for Oral Argument Regarding Defendants' Motion to Dismiss is **DENIED**.

It is so **ORDERED**.

BY THE COURT:

s/ Ronald L. Buckwalter

RONALD L. BUCKWALTER, S.J.